

REMARKS

The Office Action dated January 30, 2004 has been reviewed and the Examiner's comments carefully considered. Claims 10-11 are canceled. Claims 22-23 were withdrawn from consideration as being directed to a non-elected invention. Therefore, claims 12, 14 and 16-21 are pending in the application.

Prior Art Rejections

Claims 12, 14, and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono.

The rejection of claims 12, 16, 17 and 19 should be withdrawn because Ono fails to disclose, teach or suggest the claimed invention. For example, Ono does not disclose, teach or suggest a rib that "includes an arc-shaped cross section" as called for by claim 12, or a rib that "includes a quadrilateral cross section," as called for in claim 19. Furthermore, Ono fails to disclose, teach or suggest a "backlash preventing structure" that "includes a tapered portion" as called for by claims 16 and 17.

The Office Action states that the particular shape of the ribs would have been obvious to one of ordinary skill in the art since many different shape could be used to accomplish the same function. On the contrary, it appears that the shape of Ono's ribs (21) have disadvantages compared to the present invention. The ribs (21) are formed in a direction where casting is difficult. In addition, the shape of the ribs (21) makes press fitting and removal problematic. On the other hand, claims 12, 16, 17 and 19 call for particular shapes that minimize casting, press fitting and removal problems. Furthermore, the shape of the claimed structure guides the torsion bar to secure press fitting and removal, as well as to prevent backlash. The Office Action also states that the claimed shapes are of "no critical importance" and therefore are not entitled to any patentable weight. However, the Office Action's position is not supported by the case law. The rejection must rely on an explicit teaching of the prior art, because "components which are functionally or mechanically equivalent are not necessarily obvious in view of one another." *In re Scott*, 323 F.2d. 1016 (CCPA 1963). Furthermore, as described above, the ribs of Ono are not "functionally or

mechanically equivalent.” Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 14 and 18 depend from claim 12 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations contained therein. Claims 20 and 21 depend from claim 19 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations contained therein.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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